

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :27118 of 2007

DATED:20-12-2007

BETWEEN:

Doddavarapu Venkateswara Rao.

..... PETITIONER

AND

The Tahsildar,
Allavaram mandal,
Eat Godavari District.

.....RESPONDENT

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondent in taking steps to dispossess the petitioner from the land in an extent of Ac.0.44 cents in R.S.No.41 of Samanthakuru village, Allavaram mandal, East Godavari District without recourse to law, as illegal, and arbitrary.

3. It is the case of the petitioner that he is the owner and possessor of the land of an extent of Ac.0.44 cents in R.S.No.41 of Samanthakuru village, Allavram mandal, East Godavari District and in fact he was also granted pattadar pass book bearing No.218761 by the Mandal Revenue Officer, Allavaram to the effect that the said land is the patta land of the petitioner. While so, respondent made an attempt to interfere with the peaceful possession and enjoyment of the said land without following due process of law. It is stated that even if the said land is required for any public purpose, without following due process of law, petitioner cannot be dispossessed.

4. Having regard to the facts and circumstances of the case, respondent is directed not to dispossess the petitioner without following due process of law.

5. Accordingly, Writ Petition is disposed of. No order as to costs.

V.ESWARAIAH,J

20th December, 2007.
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